

### **REMARKS**

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 1-6 are now present in the application. Claims 1 and 2 have been amended. Claim 1 is independent. Reconsideration of this application, as amended, is respectfully requested.

### **Claim Rejections Under 35 U.S.C. § 103**

Claims 1, 2, 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsirtsis, U.S. Patent No. 6,954,442, in view of Ohtani, U.S. Patent Application Publication No. US 2003/0157936. Claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsirtsis in view of Ohtani, and further in view of Hamasaki, U.S. Patent Application Publication No. US 2004/0137901. These rejections are respectfully traversed.

In light of the foregoing amendments, Applicants respectfully submit that these rejections have been obviated and/or rendered moot. As the Examiner will note, independent claim 1 has been amended to recite a combination of elements including "[a] wireless communications system which uses at least two kinds of wireless communication networks, enables simultaneously to connect to a basic access network for executing signaling communication only in which communication is controlled so as to be continuously switched and to a wireless access network for executing data communications only other than the signaling communication and comprises wireless communication terminals and a wireless communication server, wherein each of the wireless communication terminals comprises a seamless application processing unit for executing connection processing to the basic access network and connection/disconnection

processing to and from the wireless access network, a basic access network client processing unit having a client function in the signaling communication, a multicast communication node application processing unit for setting multicast reception using at least the two kinds of the wireless communication networks, and respective network devices corresponding to the respective wireless communication networks; and the wireless communication server comprises a home agent application processing unit for setting a multicast transmission using at least the two kinds of the wireless communication networks, a basic access network server processing unit for notifying, when the wireless communication networks are continuously switched, the wireless communication terminals of a wireless communication network acting as a switching candidate, for managing the signaling communication for communicating the status of the respective wireless communication terminals therebetween, and for managing the registration/update processing of the respective wireless communication terminals, a terminal status table for managing the status of the respective wireless communication terminals, a terminal configuration table for managing wireless communication network interfaces implemented in the respective wireless communication terminals, and a preference setting table for managing the order of the wireless communication networks acting as switching candidates when the wireless communication networks are continuously switched, and the seamless application processing unit of each of the wireless communication terminals individually connects the basic access network for control of executing signaling communication only and the wireless access network for executing data communications only other than the signaling communication between the basic access network client processing unit and the basic access network server processing unit.”

Applicants respectfully submit that the above combination of elements as set forth in amended independent claim 1 is not disclosed nor suggested by the references relied on by the Examiner.

As embodied in Fig. 2 of the present application, when the seamless application processing unit 11 starts up, it executes connection of a basic access network (BAN) . In the present invention, the signaling communication in which the communication is controlled so as to be continuously switched is executed in the BAN. As shown in Fig. 2 of the present application, the BAS client 12 and the BAS server 22 executes communication according to a Basic Access Signaling (BAS) protocol, and the illustrated embodiment employs Simple Object Access Protocol (SOAP). Further, after communication to a communication opponent starts, a wireless access network (RAN) is connected to execute other data communication in Mobile IP. Although the connections to the RAN and to the BAN are executed individually from the wireless communication networks in the present invention as described above, other wireless communication networks may be optionally switched.

As a result, the present invention can switch a terminal wireless system promptly and realize continuous switching of communications. More specifically, because the communication system of the present invention has a basic access network for executing signaling communication only and a wireless access network for executing data communications only other than the signaling communication, it can save electric power, provide extension of the network system, and use effective frequency.

On the other hand, Tsirtsis in FIG. 2 discloses that an access node includes a mobility agent module 202 and a session signaling server module 204. In particular, Tsirtsis in col. 8, lines 14-45 discloses:

The session signaling server module 204 allows the access node 200 to support session initiation operations, e.g., processing of received signals or messages used for the establishment of a data communication sessions and sending of subsequent signals or messaging as required. The session signaling server module 204 also supports session maintenance and termination services....

The mobility agent module 202 allows the access node 200 to support end node mobility and connectivity management services. Thus, the access node 200 is capable of providing node mobility, session establishment, and session maintenance services to connected end nodes...(emphasis added.)

In other words, both of the mobility agent module 202 and the session signaling server module 204 of the access node 200 are used for session establishment and maintenance. Tsirtsis nowhere discloses that only one of the mobility agent module 202 and the session signaling server module 204 is for session establishment and maintenance and the other one of the mobility agent module 202 and the session signaling server module 204 is only for data communication other than session establishment and maintenance. Therefore, Tsirtsis fails to teach “the seamless application processing unit of each of the wireless communication terminals individually connects the basic access network for control of executing signaling communication only and the wireless access network for executing data communications only other than the signaling communication between the basic access network client processing unit and the basic access network server processing unit” as recited in claim 1.

With regard to the Examiner’s reliance on the secondary references, Ohtani simply discloses a mobile communication system comprising a mobile station, a base station connected to the mobile station, and a switching center connected to the base station, wherein the mobile

station notifies the switching center of information on one or more addition branch candidates between the mobile station and the base station, and of information indicative of precedence of the addition branch candidates; and the switching center performs handover control in accordance with the information notified. Hamasaki simply discloses the steps of providing a handover history of the MT to a processor that is in communication with the cellular network. The processor predicts when the MT will move to an area covered by the WLAN and based on the prediction, the processor pre-registers the MT with the WLAN so that when the MT enters the WLAN covered area, the MT may substantially immediately receive information from the WLAN. However, these references still fail to disclose the above combination of elements as set forth in amended independent claim 1. Accordingly, these references fail to cure the deficiencies of Tsirtsis.

Accordingly, none of the references utilized by the Examiner individually or in combination teach or suggest the limitations of amended independent claim 1 or its dependent claims. Therefore, Applicants respectfully submit that claim 1 or its dependent claims clearly define over the teachings of the references relied on by the Examiner.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 are respectfully requested.

### **CONCLUSION**

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

Application No.: 10/579,732  
Amendment dated December 4, 2008  
Reply to Office Action of September 8, 2008

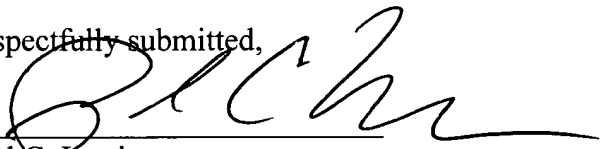
Docket No.: 4035-0179PUS1

In the event there are any matters remaining in this application, the Examiner is invited to contact Cheng-Kang (Greg) Hsu, Registration No. 61,007 at (703) 205-8000 in the Washington, D.C. area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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